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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,479	03/26/2004	Frederick J. Uchman	0707-00336 - G-00336/US	9774
35758	7590	12/22/2004	EXAMINER	
GKN DRIVELINE NORTH AMERICA, INC 3300 UNIVERSITY DRIVE AUBURN HILLS, MI 48326			DUNWOODY, AARON M	
			ART UNIT	PAPER NUMBER

3679

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/810,479

Applicant(s)

UCHMAN ET AL.

Examiner

Aaron M Dunwoody

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NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau. (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Information Disclosure Statement***

No Information Disclosure Statement submitted.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the spring pin and roll pin must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

The disclosure is objected to because of the following informalities:

The disclosure recites, "a right hand side half shaft 22", and "front differential 22"; however, both statements cannot be correct.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention; and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Page 6 of the disclosure recites, "The constant velocity joint 10 includes an outer race 36 which has a flange 38 in contact with one end thereof"; however, Figure 2 of the instant application shows a shield against the shoulder portion 58, which is between the outer race and the flange. Basically, the written description contradicts the illustrations of the claimed invention. For examination purposes, the Examiner will assume that the flange does not contact the outer race.

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 4 and 13-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites "a spring pin"; however, it is not clear to the Examiner what this might be.

Claim 4 recites "a roll pin"; however, it is not clear to the Examiner what this might be.

Regarding claim 13, the phrase "sleeve like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "sleeve like"), thereby rendering the scope of the claim(s) unascertainable.

Claim 18 recites "a roll pin, or a roll pin"; however, it is not clear to the Examiner what this might be.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 5334096, Iwao.

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In regards to claim 1, as best understood, Iwao discloses a constant velocity joint, the joint including: an outer race (5);  
an inner race (7) arranged within the outer race;  
a flange (2a) contacting the outer race;  
a plurality of sleeves (11, 12) contacting the outer race and the flange; and  
a plurality of fasteners (4) securing the outer race to the flange.

In regards to claim 2, as best understood, Iwao discloses the sleeves being a hollow dowel.

In regards to claim 3, as best understood, Iwao discloses the sleeves being a spring pin.

In regards to claim 4, as best understood, Iwao discloses the sleeves being a roll pin.

In regards to claim 5, as best understood, Iwao discloses the outer race having a plurality of pockets in a surface.

In regards to claim 6, as best understood, Iwao discloses the flange having a plurality of pockets in a surface.

In regards to claim 7, as best understood, Iwao discloses one of the sleeves being arranged within a pocket of the outer race and a pocket of the flange.

In regards to claim 8, as best understood, Iwao discloses the sleeves carrying a torque transmission of the joint.

In regards to claim 9, as best understood, Iwao discloses the fasteners being a bolt.

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In regards to claim 10, as best understood, Iwao discloses the bolts attaching the outer race to the flange without transmitting torque.

In regards to claim 11, as best understood, Iwao discloses the sleeves being arranged in predetermined patterns at predetermined positions depending on torque transmission requirements.

In regards to claim 12, as best understood, Iwao discloses the bolts being arranged within the sleeves.

In regards to claim 13, as best understood, Iwao discloses a torque transmission assembly for use in a vehicle, the assembly including:

- a constant velocity joint;

- a flange contacting the constant velocity joint;

- a plurality of sleeve like members contacting the constant velocity joint and the flange to transmit torque through the assembly; and

- a plurality of fasteners securing the constant velocity joint to the flange.

In regards to claim 14, as best understood, Iwao discloses the constant velocity joint having a plurality of pockets formed in a surface thereof.

In regards to claim 15, as best understood, Iwao discloses the flange having a plurality of pockets formed in a surface thereof.

In regards to claim 16, as best understood, Iwao discloses the sleeves being arranged within the pockets of the constant velocity joint on one end and within the pockets of the flange on an opposite end.

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In regards to claim 17, as best understood, Iwao discloses the fasteners being arranged within the sleeves.

In regards to claim 18, as best understood, Iwao discloses the sleeves being a hollow dowel, a spring pin, or a roll pin.

In regards to claim 19, as best understood, Iwao discloses the fasteners being a bolt.

In regards to claim 20, as best understood, Iwao discloses the sleeves being solid and arranged in a predetermined pattern with the fasteners.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M Dunwoody whose telephone number is 703-306-3436. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P Stodola can be reached on 703-306-5771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Aaron M Dunwoody  
Examiner  
Art Unit 3679

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